

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re IMERYYS TALC AMERICA, INC., <i>et al.</i> ¹ Debtors.	Chapter 11 Case No. 19–10289 (LSS) Jointly Administered
IMERYYS TALC AMERICA, INC. and IMERYYS TALC VERMONT, INC., Plaintiffs, v. JOHNSON & JOHNSON and JOHNSON & JOHNSON CONSUMER INC., Defendants.	Adv. Pro. No. 21-51006 (LSS)

**JOINT STIPULATION UNDER LOCAL RULE 7012-2
EXTENDING TIME FOR JOHNSON & JOHNSON AND JOHNSON & JOHNSON
CONSUMER INC. TO ANSWER OR FILE RESPONSIVE PLEADING**

Imerys Talc America, Inc. and Imerys Talc Vermont, Inc. (the “**Plaintiffs**”), Johnson & Johnson and Johnson & Johnson Consumer Inc. (“**J&J**”), the Official Committee of Tort Claimants (the “**Committee**”), and the Future Claimants’ Representative (the “**FCR**” and, together with the Plaintiffs, J&J, and the Committee, the “**Parties**”), by and through their undersigned counsel, hereby stipulate under Rule 7012-2 of the Local Rules of Bankruptcy Practice and

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Imerys Talc America, Inc. (6358), Imerys Talc Vermont, Inc. (9050), and Imerys Talc Canada Inc. (6748). The Debtors’ address is 100 Mansell Court East, Suite 300, Roswell, Georgia 30076.

Procedure of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”) as follows:

A. On July 27, 2021, Imerys filed the *Complaint* [Bankr. D.I. 3873; Adv. D.I. 1] (the “**Complaint**”) in the United States Bankruptcy Court for the District of Delaware (the “**Court**”), commencing the Adversary Proceeding against J&J, the above-captioned defendants, the response to which was extended by agreement and is currently due from J&J on September 13, 2021.

B. On July 27, 2021, the Committee filed the *Motion of the Official Committee of Tort Claimants to Intervene in an Adversary Proceeding* [Adv. D.I. 2] (“**Committee Motion**”), and the FCR filed *The Future Claimants’ Representative’s Motion to Intervene in an Adversary Proceeding and Joinder in the Motion of the Official Committee of Tort Claimants to Intervene in an Adversary Proceeding* [Adv. D.I. 8] (“**FCR Motion**”). On August 26, 2021, after notice and a hearing, the Court granted the Committee Motion and the FCR Motion.

C. Pursuant to Local Rule 7012-2, “[t]he deadline to plead or move in response to a complaint or other pleading in an adversary proceeding may be extended for a period of up to twenty-eight (28) days by stipulation of the parties docketed with the Court.”

IT IS HEREBY STIPULATED AND AGREED by the Parties that:

1. The time in which J&J may move, plead, or otherwise respond to the Complaint is hereby extended up to and including September 21, 2021.

2. J&J hereby waives any defense that it may otherwise have been entitled to assert under Federal Rule of Civil Procedure 12(b)(4) and 12(b)(5), as incorporated into this Adversary Proceeding by Federal Rule of Bankruptcy Procedure 7012(b).

3. Except as otherwise may be expressly set forth herein, this Stipulation is without prejudice to the Parties’ substantive rights.

<p>Dated: August 31, 2021</p> <p>RICHARDS, LAYTON & FINGER, P.A.</p> <p><u>/s/ Marcos A. Ramos</u></p> <p>Mark D. Collins (No. 2981) Michael J. Merchant (No. 3854) Marcos A. Ramos (No. 4450) Amanda R. Steele (No. 5530) One Rodney Square 920 North King Street Wilmington, DE 19801 Telephone: (302) 651-7700 Facsimile: (302) 651-7701 E-mail: collins@rlf.com merchant@rlf.com ramos@rlf.com steele@rlf.com</p> <p>-and-</p> <p>NEAL, GERBER & EISENBERG LLP</p> <p>Angela R. Elbert (admitted <i>pro hac vice</i>) Jason A. Frye (admitted <i>pro hac vice</i>) Two North LaSalle Street, Suite 1700 Chicago, Illinois 60602-3801 Telephone: (312) 269-5995 Facsimile: (312) 578-8396 E-mail: aelbert@nge.com jfrye@nge.com</p> <p><i>Counsel for Debtors and Debtors-in-Possession</i></p>	<p>Dated: August 31, 2021</p> <p>FAEGRE DRINKER BIDDLE & REATH, LLP</p> <p><u>/s/ Patrick A. Jackson</u></p> <p>Patrick A. Jackson (Del. Bar No. 4976) 222 Delaware Ave., Ste. 1410 Wilmington, Delaware 19801 Telephone: (302) 467-4200 Facsimile: (302) 467-4201 Patrick.Jackson@faegredrinker.com</p> <p>-and-</p> <p>WEIL, GOTSHAL & MANGES LLP</p> <p>Diane P. Sullivan (<i>pro hac vice</i>) Gary Holtzer (<i>pro hac vice</i>) Ronit Berkovich (<i>pro hac vice</i>) Theodore E. Tsekerides (<i>pro hac vice</i>) 767 Fifth Avenue New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007</p> <p><i>Attorneys for Johnson & Johnson and Johnson & Johnson Consumer Inc.</i></p>
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<p>Dated: August 31, 2021</p> <p>ROBINSON & COLE LLP</p> <p><u>/s/ Natalie D. Ramsey</u></p> <p>Natalie D. Ramsey (No. 5378) Mark A. Fink (No. 3946) 1201 North Market Street, Suite 1406 Wilmington, Delaware 19801 Tel: (302) 516-1700; Fax: (302) 516-1699 nramsey@rc.com mfink@rc.com Michael R. Enright (admitted <i>pro hac vice</i>) 280 Trumbull Street Hartford, CT 06103 Tel: (860) 275-8290; Fax: (860) 275-8299 menright@rc.com</p> <p>WILLKIE FARR & GALLAGHER LLP Rachel C. Strickland (admitted <i>pro hac vice</i>) Jeffrey B. Korn (admitted <i>pro hac vice</i>) Stuart R. Lombardi (admitted <i>pro hac vice</i>) 787 Seventh Avenue New York, New York 10019 Tel: (212) 728-8000; Fax: (212) 728-8111 rstrickland@willkie.com jkorn@willkie.com slombardi@willkie.com</p> <p>GILBERT LLP Kami E. Quinn (admitted <i>pro hac vice</i>) Heather Frazier (admitted <i>pro hac vice</i>) 700 Pennsylvania Avenue, SE ; Suite 400 Washington, DC 20003 Telephone: (202) 772-2200 quinnk@gilbertlegal.com frazierh@gilbertlegal.com</p> <p><i>Counsel to the Official Committee of Tort Claimants</i></p>	<p>Dated: August 31, 2021</p> <p>YOUNG CONAWAY STARGATT & TAYLOR, LLP</p> <p><u>/s/ Kevin A. Guerke</u></p> <p>Robert S. Brady (No. 2847) Edwin J. Harron (No. 3396) Kevin A. Guerke (No. 4096) Sharon M. Zieg (No. 4196) Rodney Square 1000 North King Street Wilmington, DE 19801 Tel. (302) 571-6600; Fax: (302) 571-1253 rbrady@ycst.com eharron@ycst.com kguerke@ycst.com szieg@ycst.com</p> <p><i>Counsel to the Future Claimants' Representative</i></p>
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